

(2) uses such data for other than non-commercial purposes.

### (c) Enforcement mechanisms

Enforcement mechanisms referred to in subsection (b) of this section may include civil penalties of not more than \$10,000 (per day per violation), denial of further unenhanced data purchasing privileges, and any other penalties or restrictions the Secretary considers necessary to ensure, to the greatest extent practicable, that unenhanced data provided for noncommercial purposes are not used to unfairly compete in the commercial market against private sector entities not eligible for data at the cost of fulfilling user requests.

### (d) Procedures and regulations

The Secretary shall issue any regulations necessary to carry out this section and shall establish standards and procedures governing the imposition of enforcement mechanisms under subsection (b) of this section. The standards and procedures shall include a procedure for potentially aggrieved parties to file formal protests with the Secretary alleging instances where such unenhanced data has been, or is being, used for commercial purposes in violation of the terms of receipt of such data. The Secretary shall promptly act to investigate any such protest, and shall report annually to the Congress on instances of such violations.

(Pub. L. 102555, title V, §508, Oct. 28, 1992, 106 Stat. 4179.)

## SUBCHAPTER VI—PROHIBITION OF COMMERCIALIZATION OF WEATHER SATELLITES

### §5671. Prohibition

Neither the President nor any other official of the Government shall make any effort to lease, sell, or transfer to the private sector, or commercialize, any portion of the weather satellite systems operated by the Department of Commerce or any successor agency.

(Pub. L. 102555, title VI, §601, Oct. 28, 1992, 106 Stat. 4179.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5672 of this title.

### §5672. Future considerations

Regardless of any change in circumstances subsequent to October 28, 1992, even if such change makes it appear to be in the national interest to commercialize weather satellites, neither the President nor any official shall take any action prohibited by section 5671 of this title unless this subchapter has first been repealed.

(Pub. L. 102555, title VI, §602, Oct. 28, 1992, 106 Stat. 4180.)

## CHAPTER 83—TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION

Sec.

5701. Short title; findings.  
(a) Short title.

Sec.

(b) Findings.

## SUBCHAPTER I—REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH PAY-PER-CALL SERVICES

5711. Federal Trade Commission regulations.

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- (a) In general.
- (b) Rulemaking schedule and procedure.
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- (d) Correction of billing errors and correction of credit reports.

5722. Relation to State laws.

- (a) State law applicable unless inconsistent.
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5723. Enforcement.

5724. Definitions.

## §5701. Short title; findings

### (a) Short title

This chapter may be cited as the “Telephone Disclosure and Dispute Resolution Act”.

### (b) Findings

The Congress finds the following:

(1) The use of pay-per-call services, most commonly through the use of 900 telephone numbers, has grown exponentially in the past few years into a national, billion-dollar industry as a result of recent technological innovations. Such services are convenient to consumers, cost-effective to vendors, and profitable to communications common carriers.

(2) Many pay-per-call businesses provide valuable information, increase consumer choices, and stimulate innovative and responsive services that benefit the public.

(3) The interstate nature of the pay-per-call industry means that its activities are beyond the reach of individual States and therefore requires Federal regulatory treatment to protect the public interest.

(4) The lack of nationally uniform regulatory guidelines has led to confusion for callers, subscribers, industry participants, and regulatory agencies as to the rights of callers and the oversight responsibilities of regulatory authorities, and has allowed some pay-per-call businesses to engage in practices that abuse the rights of consumers.

(5) Some interstate pay-per-call businesses have engaged in practices which are misleading to the consumer, harmful to the public interest, or contrary to accepted standards of business practices and thus cause harm to the